

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6399

BILL NUMBER: HB 1448

NOTE PREPARED: Dec 8, 2006

BILL AMENDED:

SUBJECT: Annexation.

FIRST AUTHOR: Rep. Thompson

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill allows at least 50% of the owners of land in annexed territory to file a written remonstrance if the county executive of the county in which the annexing municipality is located adopts a resolution disapproving the annexation.

Effective Date: July 1, 2007.

Explanation of State Expenditures:

Explanation of State Revenues: *Summary:* Under the bill, a written remonstrance filed with either a circuit or superior court would be checked by the court to insure that the proper number of signatures were on the remonstrance. The court would then hold a hearing to determine if proper procedures were followed for the annexation to be overturned and then make a ruling on the remonstrance.

Court Fee Revenue: If additional remonstrances are filed with either a circuit or superior court and court fees are collected, revenue to the state General Fund may increase. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional remonstrances are filed with either a circuit or superior court,

local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected:

Local Agencies Affected: Counties; circuit and superior courts.

Information Sources:

Fiscal Analyst: Chris Baker, 317-232-9851.